

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL -Mahabubnagar District – Narva (Mandal) Erladinne (Village) - O.P.No.425/1995 & batch (total 281 O.Ps) - Sanction of decretal charges of **Rs.4,25,28,426/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 878

DATE:10.12.2008

Read:

From the Special Collector, LA, Bheema Project, Mahabubnagar
District Lr.No.E/PJP/954/08, dt:07.11.2008 through CCLA, AP, Hyd.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.425/1995 & batch (total 281 O.Ps) pertaining to Erladinne (V) Narva (M) of Mahabubnagar District. The then Special Deputy Collector, LA, PJP, Gadwal had acquired the lands to an extent of Ac.262-35 gts in the limits of Erladinne (V) by fixing the market value @Rs.32,500/- to Cat-I vide Award No.18/93, dt:30.03.93, @Rs.32,500/-, Rs.29,900/- & Rs.27,300/- to Cat-I, II, III vide Award No.19/93, dt:30.03.1993 and @Rs.29,900/- & Rs.27,300/- to Cat-I & II vide Award No.18/93, dt:30.03.07, 19/93, dt:30.03.93 and 21/1993, dt:07.06.1993 for the purpose of submergence under PJP Reservoir. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal has disposed O.P.No.425/1995 & batch (299 O.Ps) on 05.03.2004, out of which in (18 O.Ps) the value of the structures awarded by the LAO was confirmed and in respect of (28 O.Ps) enhanced the market value of the acquired lands @Rs.65,000/- per acre. Aggrieved by the orders of the Sr.Civil Judge, Gadwal dt:05.03.04 in respect of O.P.No.425/95 and batch (281) cases, the SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyd. The Hon'ble High Court of A.P.Hyd has granted interim stay orders in these cases. Accordingly, the Spl.Collector, SSP, Kurnool has sanctioned the decretal charges and the same was deposited in Civil Court. Further, the Hon'ble H.C of A.P, Hyd has disposed (15) appeals on 30.11.2004 in A.S.No.373/96 & batch and in A.S.No.426/96 and batch (16) Appeals on 27.11.2006 and the remaining appeals on A.S.No.2873/04 and batch (258) appeals on 29.11.2006 by enhancing the market value of acquired lands Rs.67,500/-.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,25,28,426/- (Rupees Four crores twenty five lakhs twenty eighty thousand four hundred and twenty six only)** in respect of O.P.No.425/95 & batch (total 281 O.Ps) pertaining to Erladinne (V) Narva (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The amount in para (11) above, shall be debitable to the following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122– Jurala Project G.H.11- NSP-SH (26) – Dams and Appurtenant works - 530 Major works -532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP. /F2(2)/2008-1, dated .12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar District.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.33002/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER